

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 14, 2020

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

No. 20-6010

JOSEPH MALDONADO-PASSAGE,
a/k/a Joseph Allen Maldonado, a/k/a
Joseph Allen Schreibvogel, a/k/a Joe
Exotic,

Defendant - Appellant.

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter is before the court on Appellant's counsel's *Motion to Withdraw as Appointed Counsel* and *Supplement* thereto. Upon consideration, the motion is GRANTED.

The district court has made the requisite finding of eligibility for appointment of counsel pursuant to 18 U.S.C. § 3006A, and the Office of the Federal Public Defender for the District for the Districts of Colorado and Wyoming ("Colorado/Wyoming FPD") is appointed as counsel for Appellant Joseph Maldonado-Passage. Pursuant to § 3006A, the Office of the Federal Public Defender for the Western District of Oklahoma ("Western District of Oklahoma FPD") is appointed *nunc pro tunc* to the date the notice of appeal

was filed in this matter, and that appointment ends with the entry of this order appointing new counsel.

Within ten days from the date of this order, the Western District of Oklahoma FPD shall transmit to the Colorado/Wyoming FPD¹ copies of all documents in their possession that are pertinent to this appeal and not otherwise available via PACER and/or CM/ECF. Also within ten days, the Colorado/Wyoming FPD shall file an entry of appearance in this appeal.

A designation of record and transcript order form were filed. Within 20 days from the date of this order, the Colorado/Wyoming FPD shall file any necessary supplemental designation of record or supplemental transcript order form. Appellant's opening brief shall be due 40 days from the date the record on appeal is filed in this court. *See* Fed. R. App. P. 31(a)(1); 10th Cir. R. 11.2(A). The Clerk of the U.S. District Court for the Western District of Oklahoma shall wait at least 20 days before transmitting the record on appeal to this court.

¹633 17th Street, Suite 1000
Denver, CO 80212
Phone: 303.294.7002
Fax: 303.294.1192

The Clerk's Office shall transmit a copy of this order to the Clerk of the U.S. District Court for the Western District of Oklahoma. The Western District of Oklahoma FPD shall transmit a copy of this order to Mr. Maldonado-Passage forthwith.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



by: Lindy Lucero Schaible
Counsel to the Clerk

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Christopher M. Wolpert
Clerk of Court

February 14, 2020

Jane K. Castro
Chief Deputy Clerk

Ms. Virginia L. Grady
Office of the Federal Public Defender
Districts of Colorado and Wyoming
633 17th Street, Suite 1000
Denver, CO 80202

RE: 20-6010, United States v. Maldonado-Passage
Dist/Ag docket: 5:18-CR-00227-SLP-1

Dear Counsel:

You have been appointed as counsel for appellant pursuant to the Criminal Justice Act, 18 U.S.C. 3006A. The order appointing you has been docketed in the above-referenced appeal. If an adverse decision is rendered you must advise your client of the right to seek review of this court's decision by petition for certiorari. If the client requests, and you believe a petition to be legally sound, you must file one with the clerk of the Supreme Court of the United States. *See* Criminal Justice Act Plan, 10th Cir. R., Addendum I.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert
Clerk of the Court

cc: Charles Brown
Amanda L. Maxfield Green
William P. Earley
Kyle Wackenheim

CMW/sls